

# **Notice of Allowability**

**Application No.**

10/695,944

**Applicant(s)**

KIYOTO ET AL.

**Examiner**

Samson B. Lemma

**Art Unit**

2132

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 05/29/2007.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### ***DETAILED ACTION***

1. This is in reply to amendment after non-final office action, filed **on May 29, 2007**. All claims 1-7 are amended. No claims are neither canceled nor added. **Thus claims 1-7 are pending/examined.**
2. There are 2 independent claims, **namely claims 1 and 6.**

### ***Allowable Subject Matter***

3. **Claims 1-7** are allowed.

Referring to the independent claim 1, the reference on the record namely Reifman discloses most of the limitations recited in the respective independent claims.

For instance, regarding independent claim 1, before the claims was amended, **Reifman discloses a communication apparatus for performing one-to-one communication with another communication apparatus via an IP network, comprising:**

- **First means for performing an encryption process and/or an authentication process with respect to a packet; [See at least figure 20]**
- **Second means for acquiring, from a peer's communication apparatus specified by a user of the communication apparatus, presence information including information for judging a communication security environment of said peer's communication apparatus and security policy information including an encryption rule and an authentication rule each to be applied to packets by said peer's communication apparatus; [column 22, lines 53-55] (The security settings display location 178 shown in the screen display of figure 17 allows the user to select options as data encryption or authentication) and**

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• **Third means for displaying said presence information and said security policy information such that said user judges propriety of the security policy information based on the presence information and allowing the user to partly change the security policy information, said first means processing a packet to be transmitted to said peer's communication apparatus in accordance with a security policy approved by the user. [See figure 20 and column 22, lines 55-column 9]** *(If the user selects the Security Settings display location 178 and presses the Change button 172, the IFAX 10 changes to the screen display shown in FIG. 20. The touch-sensitive display 24 shows which options are currently selected, and the prompt 48 instructs the user to select security options and press the OK button 158. Options that have previously been selected may be deselected by touching the corresponding button and selecting the OK button 156. The IFAX 10 permits encryption of a facsimile message by selecting an "Encryption" button 190. In addition, the IFAX 10 permits the transmission of a digital signature by selecting a "Digital Signature" button 192, and an authentication option by selecting an "Authentication" button 194. The digital signature causes the IFAX 10 to transmit a checksum or other data portion in encrypted form along with the encrypted facsimile message. The digital signature allows the receiving facsimile machine to determine if the facsimile message has been tampered with during transmission. The authentication option attaches an instruction to the facsimile message requiring a password to be entered into the recipient facsimile machine for the facsimile recipient to read the facsimile message. Thus, there are varying degrees of security that may be easily selected by the user.)*

• **However, as applicant persuasively argued, Reifman does not disclose the following functional limitation which is recited in the amended independent claim 1.**

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“second means for acquiring, from a peer's communication apparatus specified by a user of the **peer-to-peer communication** apparatus, **presence information including information for judging a communication security environment** of said peer's communication apparatus.”

And

“third means for displaying said presence information such that said **user judges propriety of the security policy information based on the presence information**”

None of the prior art of record taken singularly or in combination teaches a peer-to-peer communication, with the above functional limitation, together with the other limitation recited in the respective independent claim 1. For this reason, independent claim 1 is found to be novel and are allowed.

Independent claim 6 recites similar limitation as that of independent claim 1, therefore is allowed for the same reason.

4. The dependent claims which are dependent on the above independent claims 1 and 6 being further limiting to the independent claim, definite and enabled by the specification are also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (See PTO-Form 892).


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**SAMSON LEMMA**  
**S.L.**  
**08/12/2007**

  
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